

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION

CURTIS LAMAR McQUEEN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 1:06CV2 RWS
	)	
SUSAN WICKLIFF, et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**


On May 29, 2008, Plaintiff McQueen filed a motion for a preliminary injunction asserting that he does not have as much access his prison's law library and the library's computers as he would prefer. He states that during his free time he must choose between recreation, "property room clothing issue" or the law library. He also states that because there are only eight computers in the law library he is not always able to use a computer due to other inmates use of the computers. He seeks an order from this Court directing the prison officials to allow McQueen to have special privileges, that is, daily access to the law library during the hours that the library is open for use by the general population.

A prisoner has a constitutional right of access to the courts to pursue a civil rights claim violation. To prevail on an access-to-courts claim, prisoner must show denial of access to adequate law library or other legal assistance and actual injury. Lewis v. Casey, 518 U.S. 343, 351-52 (1996). The right to access, however, only protects the ability of an inmate to prepare a petition or complaint. The Constitution does not require a state to "enable [a] prisoner to *discover* grievances, and to *litigate effectively* once in court." Id. at 354.

Because McQueen does not have a Constitutional right to litigate effectively once his complaint has been filed, I decline to entertain his request to have me direct the Department of Corrections on how and when to give McQueen access to the prison law library. Based on McQueen's voluminous filings in this matter it is clear that McQueen has access to the library and has not been completely denied of any means of pursuing this litigation.

Accordingly,

**IT IS HEREBY ORDERED that** the Plaintiff's motion for a preliminary injunction to allow special access to the law library [#120] is **DENIED**.

  
\_\_\_\_\_  
RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 20th day of June, 2008.